

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
AND VARIANCE \*  
S/S Trenton Road, 1250' W \* DEPUTY ZONING COMMISSIONER  
centerline of Trenton Mill Road \*  
5th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \*  
(16321 Dark Hollow Road) \* CASE NO. 02-221-XA  
  
Brenda & Michael Herzog \*  
Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception and Variance filed by the legal owners of the subject property, Brenda and Michael Herzog. The Petitioners are requesting a special exception for a riding stable and for horse boarding and a variance to allow a sign of 12 sq. ft. in lieu of the required 1 sq. ft.

Appearing at the hearing on behalf of the variance and special exception request were Brenda and Michael Herzog, owners of the subject property and Roy Snyder, the property line surveyor who prepared the site plan of the property. Appearing as interested citizens in the matter were G. C. & Donna Smith, adjacent property owners, Gene & Jean Sessa, nearby property owners and Jack Dillon, Director of the Valleys Planning Council. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, comprises 14.3 acres, more or less, zoned R.C.2. The subject property is located on the south side of Trenton Road, east of its intersection with Dark Hollow Road. The property is currently being developed with a single-family residential home wherein the Herzog's intend to reside. In addition, a horse barn and shed are also being constructed on site. The locations and size of

2/18/02  
J. J. [Signature]

these improvements are more particularly shown on Petitioners' Exhibit No. 1, the site plan prepared by Mr. Snyder.

The testimony offered by Mrs. Herzog indicated that she has been operating a small horse farm, consisting of 9 horses and 3 ponies on Geist Road in Glyndon, for the past 12 years. She and her husband are renting the property at that location and now desire to purchase a farm of their own with larger accommodations for their growing family. They have chosen the subject property and have settled on the purchase of same. Mrs. Herzog is interested in relocating her horse farm from the property situated in Glyndon to the subject location. Mrs. Herzog testified in detail regarding the current operation of her horse farm. She intends to keep and maintain 9 horses and 3 ponies on the subject property. Three of those horses and all 3 ponies belong to Mr. and Mrs. Herzog. Six of the other horses are kept on the property and are owned by others. In addition, she intends to continue to give riding lessons to approximately 8-10 students. This is what she has been doing for the past 12 years at her Glyndon location.

As stated previously, several residents from the surrounding community appeared at the hearing. Specifically, Mr. & Mrs. Sessa, who reside on Dark Hollow Road, are concerned over the additional traffic which will be generated by virtue of the Petitioners' use of their farm. Mr. Sessa testified that the traffic that currently uses Dark Hollow Road and Trenton Road is excessive and is concerned that the Petitioners' request will exacerbate that traffic condition. Mr. Smith, the adjacent property owner, was also concerned over traffic.

As stated previously, Mr. Jack Dillon, the executive director of the Valleys Planning Council, appeared out of concern for the Petitioners' request. Mr. Dillon indicated that Mrs. Herzog is well respected within the agricultural community, particularly regarding the training of horses and riders. He is not opposed to the Petitioner continuing her operation on this property,

so long as appropriate conditions and restrictions are imposed to ensure that the manner in which she operates her horse farm is not detrimental to the surrounding community. Mr. Dillon was particularly concerned over the variance request for the sign for the property. However, at the onset of the public hearing, Mr. and Mrs. Herzog indicated that they had no intention of proceeding with the requested sign variance and asked that the request be dismissed. After considering the request for withdrawal, the variance to allow a 12 sq. ft. sign in lieu of the required 1 sq. ft. was, pursuant to the Petitioners' request, dismissed.

As to the Petitioners' special exception request for a riding stable and for horse boarding on the subject property, I find that the use, as outlined by Mrs. Herzog, will not be detrimental to the surrounding properties and should, therefore, be permitted. Much of the activities about which Mrs. Herzog testified fall within the definition of farm and commercial agriculture, as those terms are defined within Section 101 of the Baltimore County Zoning Regulations. These matters are permitted as of right within the R.C.2 zone.

However, Mrs. Herzog has exceeded that which is permitted as of right on her farm, by virtue of the teaching and giving of horseback riding lessons on her property. Providing lessons to 8 to 10 students per week causes the Petitioners' activity to fall outside that which is permitted as of right and necessitates the granting of a special exception.

Section 1A01.2.C of the Baltimore County Zoning Regulations designates those uses which are permitted by special exception in the R.C.2 zone. The most appropriate classification specified within that section, that may be applicable to the type of activity performed on the property by Mrs. Herzog, would be that of a riding stable as listed within subsection 21. While Mrs. Herzog's use may not fit the traditional definition of riding stables as contained within the definitional section of the Baltimore County Zoning Regulations, it is the most appropriate

DATE: 2/8/02  
BY: J. J. J. J.

category within which to classify this type of activity. Therefore, it is appropriate for the Petitioners to request the special exception for a riding stable in this particular instance.

I believe it is appropriate to grant to this Petitioner the special exception request, to allow her to operate her riding stable on the subject property. She has operated on a similarly sized parcel of property in Glyndon for the past 12 years without objection or complaint from anyone. The requested use at this location will not be detrimental to the surrounding properties and certainly satisfies the requirements of Section 502.1 of the Baltimore County Zoning Regulations. However, I believe it is appropriate to properly restrict the Petitioners' use of the property so as to prevent the use from ever becoming detrimental to the surrounding neighborhood.

THEREFORE, IT IS ORDERED this 8<sup>th</sup> day of February, 2002, by this Deputy Zoning Commissioner, that the Petitioners' Request for Special Exception, to permit a riding stable on the subject property, be and is hereby GRANTED, subject, however, to the restrictions and conditions imposed hereinafter.

IT IS FURTHER ORDERED, that the Petition for Variance Request, to allow a sign of 12 sq. ft. in lieu of the required 1 sq. ft., be and is hereby DISMISSED with prejudice.

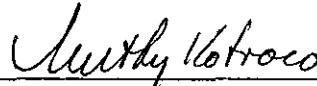
IT IS FURTHER ORDERED, that the keeping and boarding of horses on the subject property is a use that is ancillary to the overall use of the property as a farm and, therefore, is permitted as of right.

IT IS FURTHER ORDERED, that the granting of the Special Exception herein is subject to the following conditions and restrictions:

1. The Petitioners shall be limited to keeping and maintaining no more than 9 horses and 3 ponies on the subject property at any one time.

RECEIVED FOR FILING  
DEC 2/18/02  
D: [Signature]

2. The Petitioners shall be required to keep and maintain the fencing on the subject property as depicted on Petitioners' Exhibit No. 3, the site plan submitted into evidence depicting the approximate location of the subject fencing.
3. The Petitioners shall be required to file a nutrient management plan in accordance with COMAR, Section 15.20.07.05(3)(c). Said property owners shall be required to comply with said nutrient management plan.
4. The Petitioners shall be prohibited from utilizing outside lighting or outside loud speakers in connection with the Special Exception granted herein.
5. The Petitioners shall not be permitted to operate horse shows on the subject property.
6. No member of the general public shall be permitted to come to the subject property for the purpose of paying a fee for riding a horse. Only those members of the public who are actual students of Mrs. Herzog shall be permitted to ride horses on the subject property.
7. The Petitioners shall be limited to the giving of no more than 10 lessons per week on the subject property.



TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj

OFFICE OF THE ZONING COMMISSIONER  
BALTIMORE COUNTY  
2/18/02  
H. J. Green



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

February 8, 2002

Mr. & Mrs. Michael Herzog  
16321 Dark Hollow Road  
Upperco, Maryland 21155

RE: Petition for Special Exception  
Case No. 02-221-XA  
Property: 16321 Dark Hollow Road

Dear Mr. & Mrs. Herzog:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Exception has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Office of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper

Copies to:

Roy Snyder  
1911 Hanover Pike  
Hampstead, MD 21074

G.C. & Donna Smith  
16416 Trenton Road  
Upperco, MD 21155

Gene & Jean Sessa  
16215 Dark Hollow Road  
Upperco, MD 21155

Jack Dillon, Executive Director  
The Valleys Planning Council, Inc.  
P. O. Box 5402  
Towson, MD 21285-5409



# \*AND VARIANCE

## Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 16321 DARK HOLLOW ROAD

which is presently zoned EC2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for A RIDING STABLE AND FOR HORSE BOARDING, AND TO ALLOW A SIGN  
OF 12 SQUARE FEET IN LIEU OF THE REQUIRED 1 SQUARE FOOT. S. 450

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

### Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

### Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

### Legal Owner(s):

Brenda Horvath  
Name - Type or Print

Brenda Horvath  
Signature

Michael E. Horvath  
Name - Type or Print

Michael E. Horvath  
Signature

16321 Dark Hollow Rd (410) 527-9474  
Address Telephone No.

Upperco, Md 21155  
City State Zip Code

### Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 3, 00 min  
UNAVAILABLE FOR HEARING Jan 8-16 / Feb 8-24

Reviewed By JPL Date 11-27-01

Case No. 02-221-8A

REC 09/15/98

*A. L. Snyder*  
*Surveyor, Inc.*  
*1911 Hanover Pike*  
*Hampstead, Maryland 21074*

*(410) 239-7744*

*(410) 374-9695 phone/fax*

**Zoning Description**

**16321 Dark Hollow Road**

**November 13, 2001**

Beginning at a point in Trenton Road, 18-inch macadam surface, distant 1250 feet west of the centerline of Trenton Mill Road, thence the following courses and distances;

- 1.) South 36 degrees 30 minutes East 306.90 feet,
- 2.) South 84 degrees 45 minutes East 922.35 feet,
- 3.) North 66 degrees 31 minutes East 129.2 feet,
- 4.) North 48 degrees East 188.10 feet,
- 5.) North 43 degrees 30 minutes West 132.00 feet,
- 6.) North 37 degrees West 716.10 feet,
- 7.) South 47 degrees 45 minutes West 369.60 feet,
- 8.) South 67 degrees 15 minutes West 264.00 feet,
- 9.) South 63 degrees West 359.70 feet.

Containing 14.3 acres of land, more or less.

Being all that parcel of land conveyed to Michael E. Herzog and Brenda B. Herzog by deed of Gloria E. Armacost, dated May 14, 2001 and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 15245 folio 017 etc., also known as 16321 Dark Hollow Road, Upperco, Maryland 21155 and located in the Fifth Election District and Third Councilmanic District of Baltimore County.

*221*

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

08153

Case No.  
02-221-XA

DATE 11-27-01 ACCOUNT R-001-006-6150  
AMOUNT \$ 550.<sup>00</sup>

RECEIVED FROM: The Bowers

FOR: Commercial Special Exception & Variance  
16321 Dark Hollow Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME  
11/27/2001 11/27/2001 09:18:47  
REG MOD4 CASHIER DND DND DRAWER 2  
RECEIPT # 165280  
Dept 5 528 ZONING VERIFICATION  
CR/NO. 008153

Receipt Tot 550.00  
550.00 CK .00 CR  
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland, on the property identified herein as follows:

Case: #02-221-XA  
16321 Dark Hollow Road  
S/S Trenton Road, 1250' W  
centerline Trenton Mill Road  
5th Election District  
3rd Councilmanic District  
Legal Owner(s): Brenda &  
Michael Herzog

**Special Exception and  
Variance:** to permit a riding  
stable and for horse board-  
ing, and to allow a sign of  
12 square feet in lieu of the  
allowed 1 square foot.

**Hearing:** Monday, Febru-  
ary 4, 2002 at 10:00 a.m.  
in Room 407, County  
Courts Building, 401 Bos-  
ley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible; for  
special accommodations  
Please Contact the Zoning  
Commissioner's Office at  
(410) 887-4386

(2) For information con-  
cerning the File and/or  
Hearing, Contact the Zoning  
Review Office at (410) 887-  
3391.

JT1773 Jan.22 C516744

## CERTIFICATE OF PUBLICATION

1/24, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published  
in the following weekly newspaper published in Baltimore County, Md.,  
once in each of 1 successive weeks, the first publication appearing  
on 1/22, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

*John*  
2/4

RE: Case No.: 02-221-APetitioner/Developer: ROY SNYDER ETALDate of Hearing/Closing: 2/4/02

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens **GEORGE ZAHNER**

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at \*16321-DARK  
HOLLOW RD

The sign(s) were posted on 1/15/02  
(Month, Day, Year)

Sincerely,

*Patrick M. O'Keefe* 1/18/02  
(Signature of Sign Poster and Date)

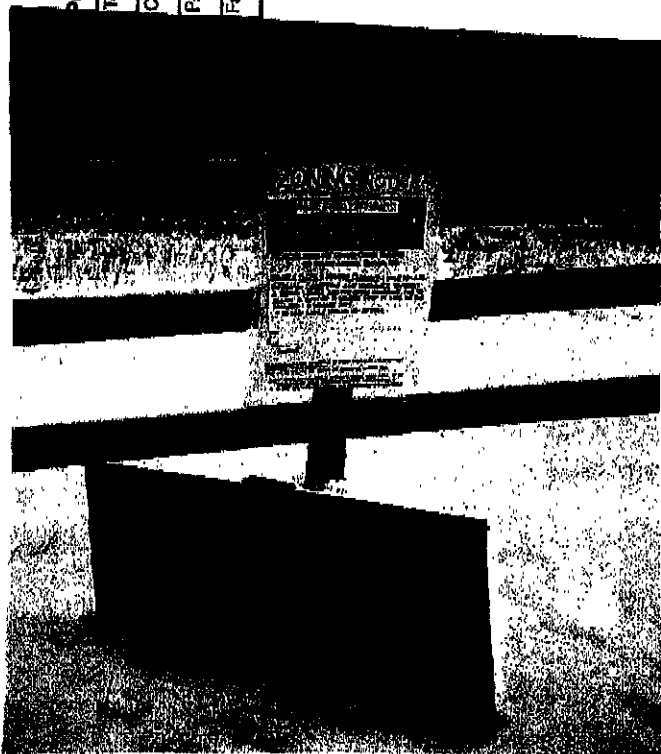
**PATRICK M. O'KEEFE**  
(Printed Name)

**523 PENNY LANE**  
(Address)

**HUNT VALLEY, MD. 21030**  
(City, State, Zip Code)

**410-666-5366 ; CELL 410-905-8571**  
(Telephone Number)

Date	From	To	Co./Dept.	Phone #	Fax #	# of pages
7671						



# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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#### For Newspaper Advertising:

Item Number or Case Number: 02-221-XA

Petitioner: MICHAEL E. HERZOG & BRENDA B. HERZOG

Address or Location: 16321 DARK HOLLOW ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL E. HERZOG & BRENDA B. HERZOG

Address: 2024 GEIST ROAD

GLYNDEN, MD. 21071

Telephone Number: 410.527.9474

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, January 22, 2002 Issue – Jeffersonian

Please forward billing to:

Brenda & Michael E Herzog  
2024 Geist Road  
Glyndon MD 21071

410 527-9474

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-221-XA

16321 Dark Hollow Road

S/S Trenton Road, 1250' W centerline Trenton Mill Road

5<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Brenda & Michael Herzog

Special Exception and Variance to permit a riding stable and for horse boarding, and to allow a sign of 12 square feet in lieu of the allowed 1 square foot.

HEARING: Monday, February 4, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *GDZ*  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

January 14, 2002

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-221-XA  
16321 Dark Hollow Road  
S/S Trenton Road, 1250' W centerline Trenton Mill Road  
5<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
Legal Owners: Brenda & Michael Herzog

Special Exception and Variance to permit a riding stable and for horse boarding, and to allow a sign of 12 square feet in lieu of the allowed 1 square foot.

HEARING: Monday, February 4, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon *GDZ*  
Director

C: Brenda & Michael E Herzog, 16321 Dark Hollow Road, Upperco 21155

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 19, 2002.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

February 1, 2002

Brenda & Michael Herzog  
16321 Dark Hollow Road  
Upperco MD 21155

Dear Mr. & Mrs. Herzog:

RE: Case Number: 02-221-XA, 16321 Dark Hollow Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 27, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

*W. Carl Richards, Jr.*

W. Carl Richards, Jr. GDZ  
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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on Recycled Paper

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development Mgmt. **DATE:** January 24, 2002

**FROM:** *RWB* Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For January 7, 2002  
Item Nos. (221), 222, 224, 225, 226, 227,  
228, 229, 231, 232, 233, 234, 237, 239,  
and 240

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

January 4, 2002

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 31, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

222, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234,  
235, 236, 237, 238, 239, and 240

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd G. Taylor *TGT*

DATE: February 6, 2002

SUBJECT: Zoning Item 221  
Address 16321 Dark Hollow Road

Zoning Advisory Committee Meeting of 12/31/01

AGRICULTURAL PRESERVATION COMMENTS

This request is supported with the exception of the variance for sign size. The variance for the size of the sign is not supported because there is no basis to change it since there is no difference between any other farm property. In fact, it is located in a state designated "Rural Legacy Area" where the scenic quality is particularly important.

Reviewer: Wally Lippincott

Date: 2/06/02

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** January 9, 2002

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 02-221(-XA)

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/JL:MAC

Jim  
2/4

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** February 1, 2002

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** 16321 Dark Hollow Road

**INFORMATION:**

**Item Number:** 02-221 – **REVISED COMMENTS**

**Petitioner:** Brenda Herzog

**Zoning:** RC 2

**Requested Action:** Special Exception/Variance

**SUMMARY OF RECOMMENDATIONS:**

Taking into consideration the property is located within the Piney Run Rural Legacy Area and the related efforts to preserve the rural character of the area, the Office of Planning recommends that the subject request be **DENIED**. This office is of the opinion that the request to permit a 12 square foot sign is unjustified and without evidence of practical difficulty or unreasonable hardship.

The petitioner should explain the scope (schedule of operation etc.) and type of riding stables proposed.

**Prepared by:** Maeta A. Cunniff

**Section Chief:** Jeffrey V. Long  
**AFK:MAC:**



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 1.2.02

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

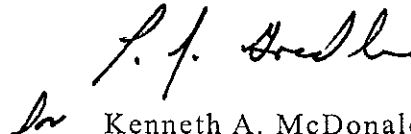
RE: Baltimore County  
Item No. [REDACTED] JJS

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

  
for Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION  
PETITION FOR VARIANCE  
16321 Dark Hollow Road, S/S Trenton Rd,  
1250' W of c/l Trenton Mill Rd  
5th Election District, 3rd Councilmanic


Legal Owner: Michael E. & Brenda Herzog  
Petitioner(s)

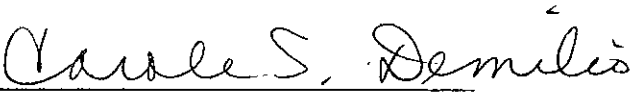
\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 02-221-XA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 23<sup>rd</sup> day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Michael E. & Brenda Herzog, 16321 Dark Hollow Road, Upperco, MD 21155, Petitioners.

  
PETER MAX ZIMMERMAN

Sept  
2/4

# *The Valleys Planning Council, Inc.*

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207 Courtland Avenue, Towson, Maryland 21204  
Mailing Address: P.O. Box 5402, Towson, Maryland 21285-5402  
Phone: 410 337-6877, Fax: 410 296-5409

JAN 31 2002

January 31, 2002

Mr. Lawrence E. Schmidt, Zoning Commissioner  
County Courts Building  
401 Bosley Ave.  
Towson, MD 21204

Re: Case No.: 02-221 XA  
Brenda & Michael Herzog  
16321 Dark Hollow Road

Dear Mr. Schmidt:

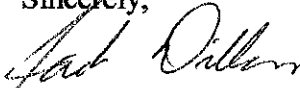
The Valleys Planning Council, Inc. is opposed to the granting of a variance for a twelve square foot sign at this location. This property is located within the Piney Run Rural Legacy Area and the Baltimore County Agricultural Priority Area. This property is also adjacent to the Historic Trenton Mill. The property has excellent visibility and there are no hardship or practical difficulty factors present that might warrant a sign twelve times the permitted size.

While we are not necessarily opposed to the granting of special exception for a riding stable and/or horse boarding at this location, there are several issues that need to be addressed.

- How many horses are proposed to be kept on the property?
- How many of these will be boarded?
- Where are the paddock areas for the horses?
- Will there be riding lessons and if so where is the riding ring proposed to be located?
- Where will people who board horses be allowed to ride?
- If riding off site is proposed have the nearby property owners granted written permission?
- Has a nutrient management plan been prepared for this use as required by state law? (See COMAR 15.20.07.05 (3)(c)? If the business generates more than \$2,500.00 annual income or has 8 or more animal units a nutrient management plan is required.

I have a meeting in DEPRM beginning at 9:30 A.M. but will try to make an appearance at the hearing on February 4, 2002. In the event I do not make the hearing I would appreciate your consideration of my comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jack Dillon".

Jack Dillon  
Executive Director

WE THE UNDERSIGNED ARE NEIGHBORS OF THE HERZOG'S AT 16321 DARK HOLLOW RD IN UPPERCO, MD. WE DO NOT HAVE ANY PROBLEMS WITH THE HERZOG'S RUNNING A HORSE OPERATION FROM THERE PROPERTY. WE UNDERSTAND THAT THEY WILL BE BOARDING HORSES AND THAT BRENDA HERZOG WILL BE GIVING RIDING LESSONS ON THERE PROPERTY.

NAME:

ADDRESS:

Mr. + Mrs Bobby Abbott	16324 Dark Hollow Rd.
Tom MAYcock	16313 DARK Hollow RD
Cassandra Zamenski	16313 Dark Hollow Rd.
Norman E. Morris	16219 Dark Hollow Rd.
Charles C. F. Fung	16210 Dark Hollow Rd.
Stephanie Evans	16210 Dark Hollow Rd.
<del>Kathleen E. Fung</del>	16706 Trenton Rd.
Stephen T. Park	16152 Trenton Rd.
Jennifer E. Reed	16152A Trenton Rd.
Jennifer R. Full	16318 TRENTON Rd.
Dr. James Smith	16316 TRENTON Rd.
Darcy Gordon	16316 Trenton Rd.
Patty Leaf	16317 Dark Hollow Rd.
Jennifer D. Fung	16540 Trenton Rd.
Steve Daly	" " "
Ann Barclay	5126 Trenton Hill Rd.

Dan E. Ruddy  
Andrew S. Barclay

524 Twp Mill Rd.

" " " "

George H. Randall 4830 Trenton Mill Rd

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

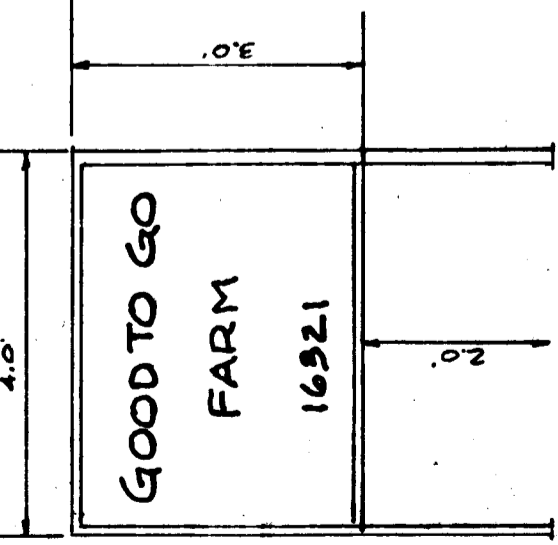
NAME

ADDRESS

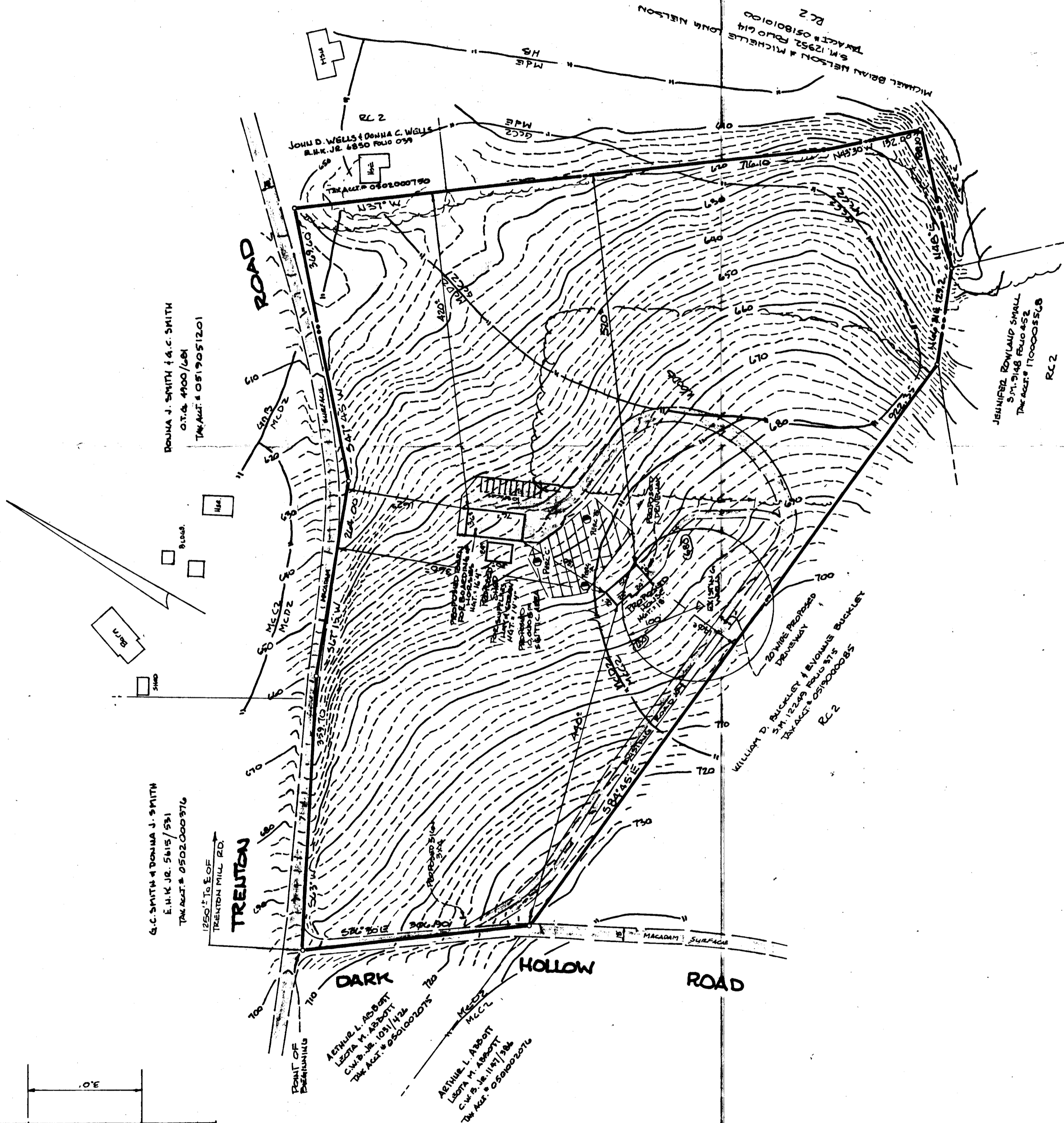
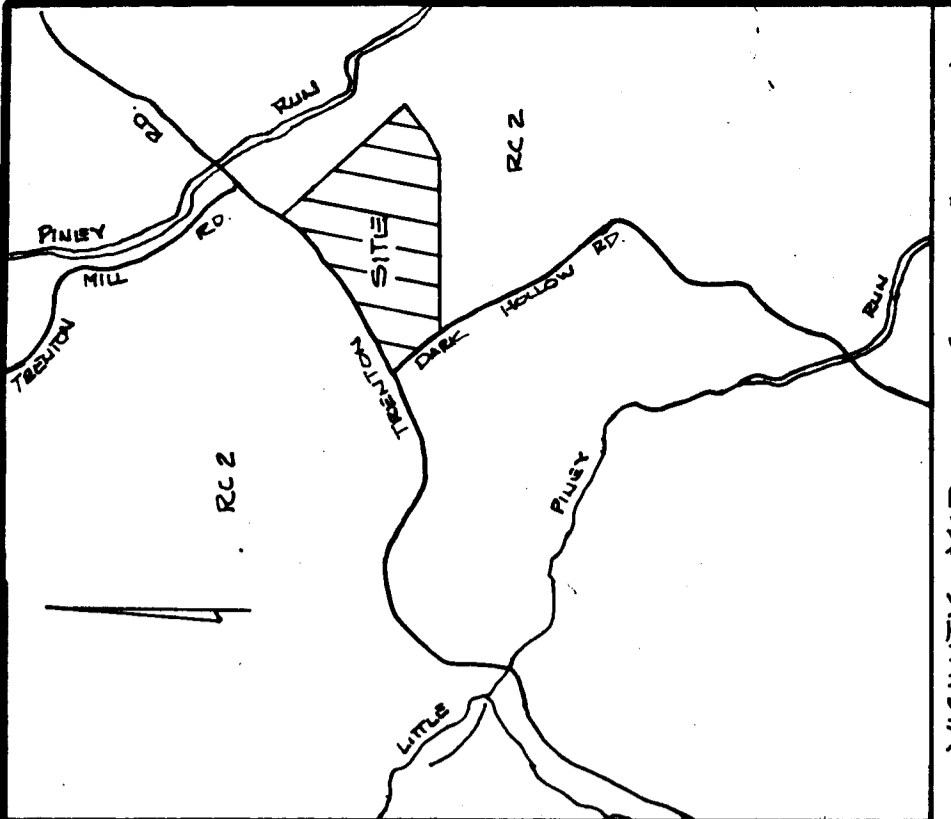
LC. + Donna Smith  
Gene & Jean Sessa

16416 Trenton Rd 21155  
16215 Dark Hollow Rd 21155

Jack Dillon - VPC



DETAIL: PROPOSED SIGN  
DOUBLE FACED  
12.59 FT. PER SIDE  
25.18 FT. TOTAL  
SCALE: 1" = 2'



- NOTES:
1. OWNER: 4 TITLE REFERENCE:  
MICHAEL E. HERZOG & BRENDA B. HERZOG  
S.M. 15245 PLO 614  
TAX ACCT. NO. 1700000259
  2. TAX MAP 25 4810 6 PAPER 247
  3. ZONING: RC 2 ZONING MAP NW 26J
  4. TOPO SHOWING HEREON IS TAKEN FROM  
BALTIMORE COUNTY ZOO SCALE 415 T15 025C1
  5. SOILS MAP: 11
  6. THERE ARE NO EXISTING WELLS OR SEPTICS WITHIN  
100 FEET OF THE PROPERTY.
  7. EXISTING USE: AGRICULTURE
  8. PROPOSED USE: AGRICULTURE & RIDING STABLE/HORSE  
BOARDING
  9. THE TRAILING AREA WILL BE DURABLE & DUSTLESS.
  10. THERE ARE NO PRIOR COMMERCIAL PERMITS.
  11. THERE IS NO PRIOR ZONING OR DEVELOPMENT HISTORY.
  12. THE PROPERTY IS NOT WITHIN A 100 YD. FLOODPLAIN.

PLAN TO ACCOMPANY  
SPECIAL EXCEPTION AND VARIANCE  
FOR RIDING STABLE & HORSE BOARDING  
FOR  
THE HERZOG PROPERTY  
FIFTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND  
THIRD CONGRESSIONAL DISTRICT  
AUGUST 8, 2001  
SCALE: 1" = 100'

Ref ex # 1

OWNERS:  
MICHAEL E. HERZOG  
BRENDA B. HERZOG  
2024 651ST ROAD  
GLYNDA, MARYLAND 21071

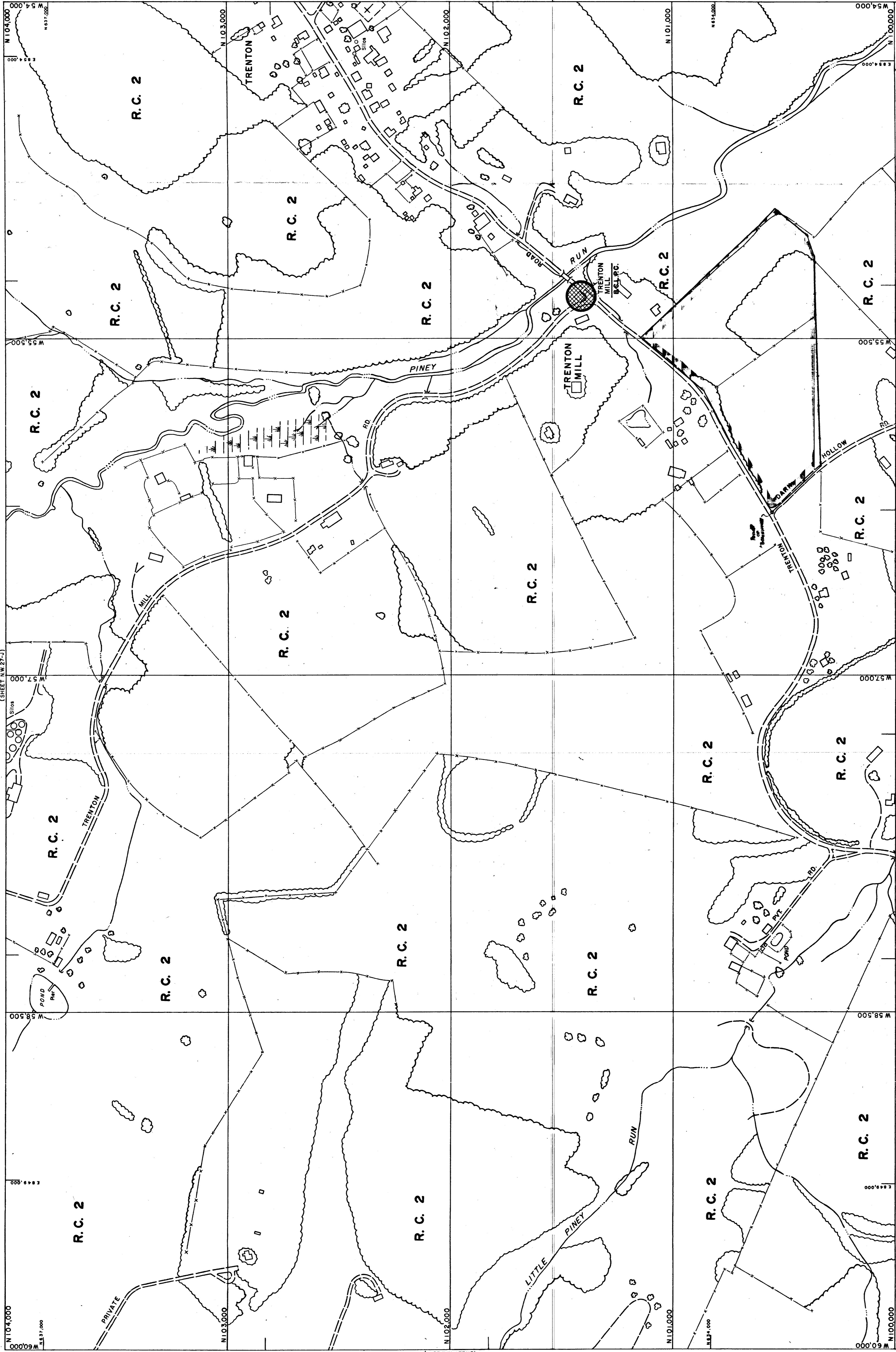


A.L. SNYDER  
SURVEYOR, INC.  
191 HANOVER, PIKE  
HAMPSTEAD, MARYLAND 21074  
410. 239. 7144

JOB NO. 01055



NW 26 J



FF - SE		GG - SW	2000 COMPREHENSIVE ZONING MAP		(SHEET NW 25 - J)		SHEET	
THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210		ADOPTED BY THE BALTIMORE COUNTY COUNCIL (OCTOBER 10, 2000) E.C. Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,		BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP		N.W. 26-J		LOCATION  TRENTON
221		ADOPTED BY THE BALTIMORE COUNTY COUNCIL (OCTOBER 10, 2000) E.C. Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,		221		SCALE 1" = 200' ±		
221		ADOPTED BY THE BALTIMORE COUNTY COUNCIL (OCTOBER 10, 2000) E.C. Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,		221		DATE OF PHOTOGRAPHY JANUARY 1986		